

From: Mart Brauer
To: Mike Powell
Date: Wed, Feb 12, 2003 8:00 PM
Subject: Please keep line sharing as is

Eliminating line sharing will lead to less choice and competition, and higher prices for consumers and small business for broadband services.

It also would slow the penetration of broadband services across the country delaying key benefits that can help the telecom sector and economy in general.

Respectfully,

Mart Brauer

From: Michelle Kregel
To: Commissioner Adelstein
Date: Wed, Feb 12, 2003 9:23 AM
Subject: UNE-Platform

<<UNE-Platform Letter Jonathan Adelstein.doc>>

Thank You,
Michelle Kregel
Access One, Inc.
LD Account Relations
800-804-8333 ext. 949



February 12th, 2003

Dear Commissioner Jonathan Adelstein:

I ask your support for the continued availability of the "LINE-Platform."

My company, Access One, offers local telephone service in select SBC territories. The company has achieved increasing success largely because it utilizes the combination of "unbundled network elements" – the UNE-Platform - to serve customers. It is absolutely critical that we have continued access to the LINE-Platform to remain competitive.

Unfortunately, the Regional Bell Operating Companies have launched a full-scale attack on the UNE-Platform, realizing it is a major threat to their continued market dominance. Their strategy is to impose certain restrictions on individual network elements that would destroy the competitive value of the UNE-Platform. If the RBOCs succeed, it will all but end any chance for consumers to enjoy the benefits of meaningful competition in local phone service.

Please oppose any effort at the Federal Communications Commission or at state agencies to limit the availability of the UNE-Platform. The UNE-Platform should be firmly and permanently established as a viable service option for competitive telecom carriers.

Thank you very much for your time and attention to this important matter.

Sincerely,

Michelle Kregel
Long Distance Account Relations
Access One Incorporated

From: Myers, Lila
To: Mike Powell, 'kabernathy@fcc.gov', 'mcoops@fcc.gov', Kevin Martin, 'jadelstein@fcc.gov'
Date: Wed, Feb 12, 2003 7:59 PM
Subject: CC Dockets01-338, 96-98 and 98-147- Ex Parte

I am forwarding the attached on behalf of Robert H. Jackson, Counsel for Americatel Corporation.

Lila A. Myers
Reed Smith LLP
1301 K Street, NW
Suite 1100 * East Tower
Washington, DC 20005
202-414-9309
lmyers@reedsmith.com

<<Cover letter to Secretary_v1.DOC>> <<Americatel ex parte on UNE-Ps Feb 02_v3.DOC>>

Robert H. Jackson. 202.414.9200 • jackson@reedsmith.com

Reed Smith

NName

DDate

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February 12, 2003

Hand Delivery

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
c/o Vistronix, Inc.
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

Re: CC Docket Nos. 01-338, 96-98 and 98-147

Dear Ms. Dortch:

On February 12, 2003, the attached letter was sent on behalf of Americatel Corporation to each of the five FCC Commissioners, with respect to the above-listed proceedings. An original and three copies of this letter are being provided for your use. Please place a copy of this letter in the record for each of these three dockets.

Please acknowledge the date and time of this filing with the Commission's stamp. An extra copy is being provided for such purpose. Please refer any questions

1301 K Street, N.W.
Suite 1100 - East Tower
Washington, D.C. 20005-3373
202.414.9200
Fax 202.414.9299

r e e d s m i t h . c o m

NName
DDate
Page 2

ReedSmith

to the undersigned. Thank you.

Sincerely,

Robert H. Jackson
Counsel for Americatel Corporation

cc: Chairman Powell
Commissioner Abernathy
Commissioner Copps
Commissioner Martin
Commissioner Adelstein

Chairman Powell, *et al.*
February 12, 2003
Page 1

Robert H. Jackson. 202.414.9297 · rjackson@reedsmith.com

Reed Smith

February 12, 2003

Ex Parte

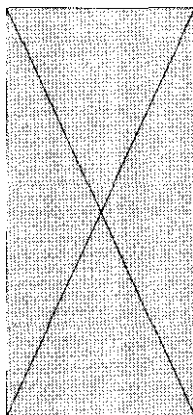
The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 – 12th Street, SW, Room 8 B201
Washington, D.C. 20554

The Honorable Kathleen Q. Abemathy
Commissioner
Federal Communications Commission
445 – 12th Street, SW, Room 8 B115
Washington, D.C. 20554

The Honorable Michael J. Copps
Commissioner
Federal Communications Commission
445 – 12th Street, SW, Room 8 A302
Washington, D.C. 20554

The Honorable Kevin J. Martin
Commissioner
Federal Communications Commission
445 – 12th Street, SW, Room 8 A204
Washington, D.C. 20554

The Honorable Jonathan S. Adelstein
Commissioner
Federal Communications Commission
445 – 12th Street, SW, Room 8 C302
Washington, D.C. 20554



1301 K Street, N.W.
Suite 11W - East Tower
Washington, D.C. 20005-3373
202.414.9200
Fax 202.414.9299

r e e d s m i t h . c o m

Chairman Powell, *et al.*
February 12, 2003
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Reed Smith

Re: CC Docket Nos. 01-338, 96-98 and 98-147

Dear Commissioners:

Americatel Corporation ("Americatel"),¹ a long distance carrier specializing in serving Hispanic communities throughout the United States, urges the Federal Communications Commission ("FCC" or "Commission") to retain local switching as an available unbundled network element ("UNE") and maintain a telecommunications carrier's ability to combine the local switching UNE ("UNE Switching") with other UNEs, **as** unbundled network element platforms ("UNE-Ps"). A decision by the FCC to restrict access to UNEs will likely operate **as** the death knell for smaller long distance carriers, **as well as** for competitive local exchange carriers ("CLECs"). Additionally, such action would unlawfully eliminate the regulatory role that Congress intended for state public utility commissions ("PUCs"), which are in a much better position than the FCC to judge local market conditions and to make the factual determination **as** to whether access to a specific UNE meets the "necessary" and "impair" standards of Section 251(d) of the Communications Act of 1934, as amended ("34 Act").²

As Americatel demonstrates herein, the continued existence of a competitive long distance market depends on the contemporaneous existence of a competitive local market. To the extent that the FCC decides to eliminate access to UNE Switching and, therefore, UNE-Ps (or prevents PUCs from requiring such access), it is more likely than not that many CLECs will be unable to compete with the BOCs. Any significant lessening of local competition would, in **turn**, likely strengthen the hand of the BOCs in the market for long distance services **as well, as** BOCs will then be able to continue to resist the price cuts for basic local services which were expected by Congress when it rewrote the 34 Act in 1996. This will, in turn, enable the BOCs to begin

¹ Americatel, a Delaware corporation that is a subsidiary of ENTEL Chile, is a common carrier providing domestic and international telecommunications services. ENTEL Chile is the largest provider of long distance services in Chile. Americatel also operates as an Internet Service Provider ("ISP"). Americatel offers presubscribed (1+), dial-around, and prepaid long distance services, as well as private line and other high-speed services to its business customers. Americatel does not, at the present time, provide any local services to its customers, though it might need to do **so** in the future, especially **if** it finds itself unable to compete against the bundled local and long distance packages being offered at deeply discounted prices by the Bell Operating Companies ("BOCs") in some of the markets in which Americatel operates.

² 47 U.S.C. §251(c).

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domination of the long distance market by offering deeply discounted toll rates (a largely deregulated service) until they gain a dominant market share in the long distance arena too. This then would likely permit the BOCs to return to their pre-1984 Divestiture status as dominant long distance carriers and, would, effectively, undo the gains to both consumers and the overall economy that have resulted over the past two decades from long distance competition.

The Telecommunications Act of 1996 ("96 Act")³ fundamentally altered the telecommunications landscape that was established by implementation of the Modification of Final Judgment ("MFJ") in the Bell System antitrust case.⁴ As the Commission is well aware, the MFJ removed the BOCs from the long distance market, separating that emerging competitive distance market from the BOCs' power and control over local exchange services. However, in exchange for new rules that forced open the local telephone monopolies, including the requirement under Section 251(c) of the 34 Act that BOCs offer unbundled access to network elements, the 96 Act permitted the BOCs to reenter the long distance market. The very clear Congressional intent behind the 96 Act was that no carrier would have sufficient economic power to dominate any market—long distance or local exchange.

While some level of local competition has developed since 1996, it is fair to say that local wireline competition has lagged well behind the development of wireless competition during that same time period. This can be seen from the contrast in prices for basic local wireline services, which have remained steady or even increased in some locations, to prices for basic wireless services, which have declined significantly and which generally include many features for which the BOCs charge extra. To the extent that the elimination of access to UNE Switching and UNE-Ps eliminates local competition from CLECs, the BOCs are more likely to dominate both the local service and long distance markets. Such a result is clearly not in the public interest and is contrary to both the 96 and 34 Acts.

Since the reentry of the BOCs into long distance services, we have seen them begin to bundle local and long distance services in a manner that indicates the extent of their continued economic power in the market. The BOCs are offering their customers the greatest savings on long distance calls only when they also purchase large packages of local services. For example, BellSouth offers its Florida customers its best international long distance rates only when those customers also subscribe to BellSouth's Complete Choice@ plan or Area Plus@

³ Pub.L. 104-104, 110 Stat. 56, codified at 47 U.S.C. §§151 *et seq.*.

⁴ *United States v. American Tel. and Tel. Co.*, 552 Supp. 131, 150 (D.D.C. 1982), *aff'd sub nom. Maryland v. United States*, 460 U.S. 1001 (1983).

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calling plans, which start at **\$30** per month.⁵ Fundamental economic principles would expect, to the extent that the Florida residential market were truly competitive and BellSouth desired to establish itself as a viable long distance carrier, it would offer discounted prices to all of its customers. However, the facts indicate that BellSouth must feel so confident of its local market position that it will offer its best long distance market-entry prices only to those residential customers who are willing to purchase large bundles of local services.

SBC Communications' ("SBC") confidence in its California local market position seems even stronger since it offers its California customers: "Special long distance rates for SBC Total Connections customers."⁶ SBC's "Total Connections" bundle is priced at nearly \$90 per month.⁷ While this service bundle includes Internet access, the price of nearly \$90 per month still greatly exceeds the national average monthly price for residential local service of **\$21.84** (October 2001).⁸ One would expect that, to the extent that the BOCs were truly feeling strong competition for their residential customers, the BOCs would not only be offering low long distance prices to all of their customers, but also lowering the monthly price of basic local service and associated features.⁹

⁵<http://www.bellsouth.com/apps/ipc/ICReqDispatcher?userEvent=getOfferDetailEvent&catId=117&offerGroupId=94> (visited February 11, 2003).

⁶ http://www02.sbc.com/Products_Services/Residential/Catalog/1_13-1-3-13.00.html (visited February 11, 2003).

⁷ See http://www02.sbc.com/Products_Services/Residential/ProdInfo_1_1_856-1-3-13.00.html (visited February 11, 2003). SBC is not alone in its bundling of its best long distance prices with large bundles of local services. For example, [redacted] offers its [redacted] its best international long distance rates only when those customers also subscribe to BellSouth's Complete Choice@plan or Area Plus@ calling plans, which start at \$30 per month.

⁸ Wireless Competition Bureau, "Trends in Telephone Service," at 2 (rel. May 22, 2002).

⁹ Contrast price trends in the wireless market. BellSouth and SBC's subsidiary, Cingular Wireless, offers its Miami customers packages that include domestic long distance, three-way calling, call forwarding, caller ID and call waiting services for as little as \$19.99 per month. http://onlinestore.cingular.com/webapp/wcs/stores/servlet/ES_PROD_RATE?storeAlias=sfabmi&storeId=13051&catalogId=13051&langId=1&svcAreaId=MIC&ratePlanType=Local (visited February 11, 2003).

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What is even more disturbing to Americatel is that the BOCs seem to be using their economic power in the local market to "finance" low-ball long distance rates in order to gain market share, in addition to the inherent advantages they have amassed, such as huge customer databases, switching facilities, billing and other technical infrastructure. By conditioning ultra-low long distance prices on the purchase of local service packages that are priced above what many consumers normally spend for basic telephone services, the BOCs can effectively afford to finance their long distance price war without losing any overall revenues. For example, if a BOC can obtain \$40 in monthly revenue from a customer who selects a local service bundle in order to obtain the lowest long distance prices, rather than the more typical \$20-\$25 per month for more basic services, the same BOC can afford to discount its long distance prices by \$15-to-\$20 per month without experiencing any reduction in revenues.

Smaller long distance carriers simply cannot afford to compete with those prices and, in the absence of access to UNE-Ps from the BOCs, the smaller carriers cannot realistically enter the local market to offer their own local and long distance bundles or partner with CLECs for the same purpose. The BOCs' economic power in the local market is permitting them to offer long distance rates at levels that smaller long distance carriers, including most CLECs, cannot afford to offer over the long term. These BOC pricing practices, while perhaps not actually rising to the level of predatory pricing, reflect a threat to true long distance competition today and the potential BOC re-monopolization of the long distance market tomorrow.

Unless the Commission is willing to risk turning back the clock to the 1970s in the telecommunications market and to go against the forward looking, global trend, it must ensure that local competition from CLECs is not snuffed out by the BOCs. As evidenced by the BOCs' service pricing policies discussed above, the local market is not fully competitive. Moreover, the termination of CLEC access to W E Switching and UNE-Ps in most markets would likely destroy the small level of local competition that exists today and even enable the BOCs to regain control over long distance. Americatel, therefore, believes that the proper course is for the FCC to allow the PUCs to make the "necessary" and "impaired" determinations required by Section 251(d). It is they, after all, that are closest to the local market conditions that, according to the Court of Appeals, must be evaluated in making those determinations.

Very truly yours,

Robert H. Jackson
Counsel for Americatel Corporation

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February 12, 2003
Page 6

Reed Smith

From: Nicholas J. Lenhardt
To: Nicholas J. Lenhardt
Date: Wed, Feb 12, 2003 4:37 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Specter
Senator Santorum
Representative Toomey
Message text follows:

Nicholas J. Lenhardt
682 Dori Lane
Stowe, PA 19464-3710

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Nicholas J. Lenhardt

From: Patricia M. Woodley
To: Patricia M. Woodley
Date: Wed, Feb 12, 2003 2:08 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Frist
Representative Wamp
Message text follows:

Patricia M. Woodley
1918 Sand Dunes Dr
Hixson, TN 37343

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Patricia M. Woodley

From: Patricia M. Woodley
To: Patricia M. Woodley
Date: Wed, Feb 12, 2003 2:08 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:
Senator Alexander
Message text follows:

Patricia M. Woodley
1918 Sand Dunes Dr
Hixson, TN 37343

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Patricia M. Woodley

From: Peter Roknich
To: Peter Roknich
Date: Wed, Feb 12, 2003 4:37 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Durbin
Senator Fitzgerald
Representative Hyde
Message text follows:

Peter Roknich
1121 S. Summit Avenue
Villa Park, IL 60181-3216

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Peter Roknich

From: PiperAVBR@aol.com
To: Commissioner Adelstein
Date: Wed, Feb 12, 2003 4:29 PM
Subject: Preserve Linesharing

Subj: Preserve Linesharing!!!!
Date: 2/12/2003 4:10:54 PM Eastern Standard Time
From: Piper AVBR
To: kjmweb@fcc.gov

What protection would the consumer have against being gouged by the Bells for DSL service. Cable is NOT a viable alternative in many markets, and where it is, they continue to raise rates while the service deteriorates. To preserve competition, you must maintain linesharing!

From: Richard Hubbell
To: Richard Hubbell
Date: Wed, Feb 12, 2003 12:38 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Kennedy
Senator Kerry
Representative Delahunt
Message text follows:

Richard Hubbell
P.O.Box 759, 28 Buckingham Rd.
East Dennis, MA 02641

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Richard L. Hubbell

From: Richard Piazza
To: Richard Piazza
Date: Wed, Feb 12, 2003 9:48 AM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Kennedy
Senator Kerry
Representative Neal
Message text follows:

Richard Piazza
39 Hadley Village Rd.
So, Hadley, MA 010754283

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Richard M. Piazza

From: Richard T. Hartman
To: Commissioner Adelstein
Date: Wed, Feb 12, 2003 7:56 PM
Subject: Please keep line sharing as is.

Eliminating line sharing will lead to less choice and competition, and higher prices for consumers and small business for broadband services.

It also would slow the penetration of broadband services across the country delaying key benefits that can help the economy

Thank You

Dr. Richard Hartman

From: Ronald Monville
To: Ronald Monville
Date: Wed, Feb 12, 2003 9:25 AM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Levin
Senator Stabenow
Representative Kildee
Message text follows:

Ronald Monville
9499 Oak Rd
Otisville, MI 48463

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Ronald Monville

From: Ruth Whitley
To: Ruth Whitley
Date: Wed, Feb 12, 2003 10:27 AM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Miller
Senator Chambliss
Representative Deal
Message text follows:

Ruth Whitley
229 Alp Lane
Blue Ridge, GA 30513

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies arent required to allow competitors access to the market. Im also concerned about the Commissions move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Ruth Whitley

From: Sally Buckner
To: Sally Buckner
Date: Wed, Feb 12, 2003 9:22 AM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Dole

Message text follows:

Sally Buckner
3231 Birnamwood Rd.
Raleigh, NC 27607-6703

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

As a consumer and a citizen, I am concerned that the Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Sally Buckner

From: Sandra Knickerbocker
To: Sandra Knickerbocker
Date: Wed, Feb 12, 2003 4:26 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Alexander

Message text follows:

Sandra Knickerbocker
5860 Third Cove, 32
Memphis, TN 38134-9335

February 12, 2003

[recipient address was insetted here]

[recipient name was inserted here],

The Federal Communications Commission is considering **taking** actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Sandra H. Knickerbocker

From: Sandra Knickerbocker
To: Sandra Knickerbocker
Date: Wed, Feb 12, 2003 4:26 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Frist

Representative Ford

Message text follows:

Sandra Knickerbocker
5860 Third Cove, 32
Memphis, TN 38134-9335

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Sandra H. Knickerbocker

From: Stuart
To: Commissioner Adelstein
Date: Wed, Feb 12, 2003 8:00 PM
Subject: Comments to the Commissioner

Stuart (dallasthecow@netzero.net) writes:

Please keep line sharing as is.

Eliminating line sharing will lead to less choice and competition, and higher prices for consumers and small business for broadband services.

It also would slow the penetration of broadband services across the country delaying key benefits that can help the economy

Thank You

Server protocol: HTTP/1.1
Remote host: 64.32.195.13
Remote IP address: 64.32.195.13

From: Stuart Gold
To: Commissioner Adelstein
Date: Wed, Feb 12, 2003 7:59 PM
Subject: Comments to the Commissioner

Stuart Gold (dallasthecow@netzero.net) writes:

It would be a crying shame if Covad were to be snuffed out due to ending linesharing. Covad was the first company to announce the REDUCTION of broadband pricing and competitors followed suit. Covad wants to bring the price of broadband down to \$29.99 PERMANENTLY. This will help in the deployment of broadband which was a goal of the FCC. If linesharing goes away, you can guarantee you'll never see lower prices.

Server protocol: HTTP/1.1
Remote host: 64.32.195.13
Remote IP address: 64.32.195.13

From: Susan Baker
To: Mike Powell
Date: Wed, Feb 12, 2003 9:30 AM
Subject: UNE-Platform

<<UNE-Platform Letter Michael Powell.doc>>

Susan Baker
Access One, Inc.
820 W. Jackson
Suite 650
Chicago, IL 60607



February 5th, 2003

Dear Chairman Michael Powell:

I ask your support for the continued availability of the "WE-Platform."

My company, Access One, offers local telephone service in the SBC territories. The company has achieved increasing success largely because it utilizes the combination of "unbundled network elements" – the UNE-Platform - to serve customers. It is absolutely critical that we have continued access to the WE-Platform to remain competitive.

Unfortunately, the Regional Bell Operating Companies have launched a full-scale attack on the UNE-Platform, realizing it is a major threat to their continued market dominance. Their strategy is to impose certain restrictions on individual network elements that would destroy the competitive value of the UNE-Platform. If the RBOCs succeed, it will all but end any chance for consumers to enjoy the benefits of meaningful competition in local phone service.

Please oppose any effort at the Federal Communications Commission or at state agencies to limit the availability of the UNE-Platform. The UNE-Platform should be firmly and permanently established as a viable service option for competitive telecom carriers.

Thank you very much for your time and attention to this important matter.

Sincerely,

Susan Baker
Account Relations
Access One Incorporated

From: Susan Baker
To: Commissioner Adelstein
Date: Wed, Feb 12, 2003 9:31 AM
Subject: UNE-Platform

<<UNE-Platform Letter Jonathan Adelstein.doc>>

Susan Baker
Access One, Inc.
820 W. Jackson
Suite 650
Chicago, IL 60607



February 5th, 2003

Dear Commissioner Jonathan Adelstein:

I ask your support for the continued availability of the "UNE-Platform."

My company, Access One, offers local telephone service in select SBC territories. The company has achieved increasing success largely because it utilizes the combination of "unbundled network elements"—the UNE-Platform—to serve customers. It is absolutely critical that we have continued access to the UNE-Platform to remain competitive.

Unfortunately, the Regional Bell Operating Companies have launched a full-scale attack on the WE-Platform, realizing it is a major threat to their continued market dominance. Their strategy is to impose certain restrictions on individual network elements that would destroy the competitive value of the UNE-Platform. If the RBOCs succeed, it will all but end any chance for consumers to enjoy the benefits of meaningful competition in local phone service.

Please oppose any effort at the Federal Communications Commission or at state agencies to limit the availability of the UNE-Platform. The UNE-Platform should be firmly and permanently established as a viable service option for competitive telecom carriers.

Thank you very much for your time and attention to this important matter.

Sincerely,

Susan Baker
Account Relations
Access One Incorporated

From: WHOtto2000@aol.com
To: Mike Powell
Date: Wed, Feb 12, 2003 2:11 PM
Subject: Pending local access rule changes

Chairman Powell

I am concerned that the current rule changes being contemplated will destroy the major long distance companies ability to continue as viable business entities.

There is no reason the RBOC's have to provide access at a reasonable price to competitors without the current rules adopted by the FCC. Without these rules the major LD companies will very quickly be headed towards bankruptcy. The RBOC's have a strangle hold on local access and have no intention of allowing others to use it unless forced to do so. I believe that the claim that high speed access will be deployed sooner if the RBOC's obtain a monopoly where they install fiber is a ruse to stifle competition in the local arena.

Unless a way can be found for the major LD companies to compete in the local market (the RBOC's now have the ability to compete in LD and were placing inter LATA fiber optic cables right after divestiture) these companies will have to go into bankruptcy in the future as market share erodes. This will affect tens of thousands of retirees who will lose their benefits (health, dental, life insurance, prescription drugs), get reduced pensions when the PBGC has to take over pension funds as well as devastate millions of investors.

This is not what I believe the government had in mind when it, in my opinion, wrongly started down the path of competition in the telecommunications industry. All you have to do is look at the large number of companies that have gone bankrupt and the huge amount of money spent for unused capacity and that should tell you that the policy was flawed from the beginning.

I am one of those very concerned retirees who believes that AT&T and others will not be viable businesses over the long term due to government policies. Please consider the long term ramifications of your decisions before more damage is done.

William H. Otto
4741 Concord Circle
Easton, PA 18045

CC: Kathleen Abernathy, Michael Copps. KM KJMWEB. Commissioner Adelstein

From: William K. Cousins
To: William K. Cousins
Date: Wed, Feb 12, 2003 7:56 PM
Subject: Proposed FCC Changes Cost Consumers??

Message sent to the following recipients:

Senator Specter
Senator Santorum
Representative Platts
Message text follows:

William K. Cousins
105 South Street
Seven Valleys, PA 17360

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

I believe that actions already taken by the FCC and congress in regards to the Telecommunications issues has done nothing to support the consumer in paying lower bills, I believe that some of the previous actions taken have only weakened some of America's strongest companies, and has allowed Foreign companies to become a much stronger factor in our economy.

While I feel Local Companies should be required to offer access by other companies to customer lines, I also feel that the local companies need to be fairly compensated.

As a constituent, I urge you to support competition and open access for local phone service, but in a matter that does not weaken local companies

Sincerely,

William K. Cousins

From: William Kimbell
To: William Kimbell
Date: Wed, Feb 12, 2003 1:01 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Schumer
Senator Clinton
Representative Walsh
Message text follows:

William Kimbell
105 Highridge Drive
Syracuse, NY 13215

February 12, 2003

[recipient address was inserted here]

[recipient name was inserted here],

The Federal Communications Commission is considering taking actions that many consider will restrict consumer choice by deregulating local phone service. I believe the entire thrust to deregulate essential services is misguided.

My telephone costs have increased significantly since deregulation. The United States had the best telephone system in the world, in part because of the regulated monopoly.

As a direct result of deregulation, many businesses were started without the careful examination that would have taken place under the regulated monopoly. Now we **see** a massive meltdown of many of those businesses with a massive cost to our country.

Sincerely,

William L. Kimbell, 105 Highridge Drive, Syracuse, NY 13215